

Docket No. 339699US28

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Dieter S. GAUBATZ, et al.

SERIAL NO: 10/816,120

GAU: 3691

FILED: April 1, 2004

EXAMINER: Shrestha, B. K.

FOR: SYSTEM AND METHOD FOR EVALUATING PREFERRED RISK DEFINITIONS

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Swiss Reinsurance Company is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 022692, frame(s) 0486.

Swiss Reinsurance Company hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 10/594,993, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that it and Serial No. 10/594,993 are commonly owned. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors or assigns.

Swiss Reinsurance Company does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 10/594,993 in the event that any said issued patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of common ownership stated above.

Respectfully Submitted,

OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT, L.L.P.

James J. Kulbaski

Registration No. 34,648

5/24/2010

Date Signed

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 11/09)